

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

CARMEN R. JIVIDEN,

PLAINTIFF,

v.

No: 2:07-2610-SHM-tmp

UNIVERSITY OF TENNESSEE,

DEFENDANT.

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Defendant, The University of Tennessee, moves the Court, pursuant to Fed. R.Civ. P. 56, for an order granting summary judgment and dismissing Plaintiff's complaint, which alleges sex discrimination, sexual harassment and retaliation.

Defendant has established as a matter of law that Plaintiff cannot establish that the decision to promote a more qualified male candidate is pretextual or that the decision to terminate Plaintiff for insubordination is pretextual. In addition, she fails to state a claim for sexual harassment or other sex discrimination as a matter of law.

In support of this motion, Defendant relies upon the contemporaneously filed Statement of Undisputed Material Facts and Memorandum of Law in Support of Defendant's Motion for Summary Judgment.

Respectfully submitted this 25th day of April, 2011.

THE UNIVERSITY OF TENNESSEE

/ s/ Devon L. Gosnell
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CERTIFICATE OF SERVICE

I hereby certify that on April 25th, 2011, a copy of the foregoing Motion for Summary Judgment was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing. Parties may access this filing through the Court's electronic filing system.

/s/Devon L. Gosnell